



## Legislation Details (With Text)

<b>File #:</b>	20841	<b>Version:</b>	1	<b>Name:</b>	Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the reconstruction of a portion of Monona Drive (CTH "BB") between Winnequah Road and Cottage Grove Road
<b>Type:</b>	Resolution	<b>Status:</b>			Passed
<b>File created:</b>	12/21/2010	<b>In control:</b>			BOARD OF PUBLIC WORKS
<b>On agenda:</b>	1/18/2011	<b>Final action:</b>			1/18/2011
<b>Enactment date:</b>	1/20/2011	<b>Enactment #:</b>			RES-11-00056

**Title:** Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the reconstruction of a portion of Monona Drive (CTH "BB") between Winnequah Road and Cottage Grove Road

And

Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the reconstruction of a portion of Atwood Avenue from Cottage Grove Road to approximately 500 feet north.

**Sponsors:** Larry Palm

**Indexes:**

**Code sections:**

**Attachments:** 1. Dec10-Monona-RWPLAT-Rev2.pdf, 2. ROWPlat 1-03-12.pdf

Date	Ver.	Action By	Action	Result
1/18/2011	1	COMMON COUNCIL	Adopt	Pass
1/10/2011	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
1/5/2011	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/4/2011	1	Public Works	Referred	
1/4/2011	1	COMMON COUNCIL	Referred	
12/21/2010	1	Engineering Division	Referred for Introduction	

### Fiscal Note

City of Madison and City of Monona will pay individual acquisition costs related to properties within the appropriate city jurisdictions.

(Estimate for City of Madison Acquisition Costs and Real Estate Services is \$600,000.00)

Budget authority is available in the following accounts:

CS53-58110-810571-00- 53W0712 Streets - Major Street Projects-Land/Easement - ROW Fee Acquisition

CS53-58130-810571-00- 53W0712 Streets - Major Street Projects-Land/Easement - Easement Acquisition

### Title

Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the

acquisition of Plat of Land Interests required for the reconstruction of a portion of Monona Drive (CTH "BB") between Winnequah Road and Cottage Grove Road

And

Determining a Public Purpose and Necessity and adopting a City of Madison Relocation Order for the acquisition of Plat of Land Interests required for the reconstruction of a portion of Atwood Avenue from Cottage Grove Road to approximately 500 feet north.

**Body**

WHEREAS, the City of Madison, City of Monona and Dane County have proposed a joint project to reconstruct Monona Drive (CTH "BB") between Winnequah Road and Cottage Grove Road and Atwood Avenue from Cottage Grove Road to approximately 500 feet north as the existing pavement is in poor condition and in need of reconstruction; and

WHEREAS, the western one-half of Monona Drive is in the City of Monona and the eastern one-half in the City of Madison; and

WHEREAS, the western one-half of Atwood Avenue is in the City of Monona and the eastern one-half in the City of Madison; and

WHEREAS, Monona Drive is also designated as CTH "BB", therefore land interest acquisitions for these portions will be acquired in the name of Dane County; and

WHEREAS, Atwood Avenue north of Cottage Grove Road is designated as a local road, therefore land interest acquisitions for these portions will be acquired in the appropriate name of Monona for three properties on the west one-half of Atwood Avenue and Madison for the three properties on the east one-half; and

WHEREAS, the design and construction costs for the highway improvements will be financed with 100 percent local funds; and

WHEREAS, the City of Monona and City of Madison desired to enter into an Agreement for the sharing of costs relating to the Engineering Design of Monona Drive (CTH "BB") Phase II from Cottage Grove Road to Winnequah Road and Atwood Avenue from Cottage Grove Road to approximately 500 feet north, including Construction and Right-of-Way plans; and

WHEREAS, the Monona Common Council adopted the Agreement per Resolution 08-09-1582 and executed said Agreement; and

WHEREAS, on October 28, 2008 the Madison Common Council adopted RES-08-00977 authorizing said Agreement and executed the same; and

WHEREAS, the Monona Common Council adopted a separate resolution authorizing Foth Infrastructure & Environment, LLC to prepare the construction and right-of-way plans as well as administering the acquisition of the necessary land interests for Monona Drive (CTH "BB") Phase II from Cottage Grove Road to Winnequah Road and Atwood Avenue from Cottage Grove Road to approximately 500 feet north; and

WHEREAS, the City of Monona has entered into a separate agreement with Foth Infrastructure & Environment, LLC who has subcontracted with G.J. Miesbauer & Associates, Inc. ("GJMA") to administer the necessary land interest acquisitions; and

WHEREAS, Foth Infrastructure & Environment, LLC has subcontracted with G.J. Miesbauer & Associates, Inc. ("GJMA") to administer the necessary land interest acquisitions; and

WHEREAS, the reconstruction and right-of way plans prepared by Foth indicates the acquisition of property interests from approximately 50 properties and 7 utilities within the Cities of Madison and Monona; and

WHEREAS, the Plat of Right-of-Way Required for Monona Drive (CTH "BB"), City of Monona and City of Madison, Winnequah Road to Cottage Grove Road, Dane County, Wisconsin is attached hereto and made part of this resolution; and

NOW, THEREFORE, BE IT RESOLVED that the City Of Madison, Dane County, Wisconsin, by its City Common Council and for its Relocation Order hereby resolves as follows:

That this Resolution is a Relocation Order in accordance with Section 32.05(1) and 62.22, Wisconsin Statutes for the purpose of the within described public acquisition project and that this acquisition is determined to be necessity in accordance with Section 32.07(2), Wisconsin Statutes, and the acquisition shall allow for the reconstruction of a portion of Monona Drive (CTH "BB") between Winnequah Road and Cottage Grove Road, City of Monona and City of Madison, Dane County, Wisconsin.

BE IT FURTHER RESOLVED that the City of Madison hereby authorizes Foth Infrastructure & Environment, LLC, who has subcontracted with G.J. Miesbauer & Associates, Inc., to proceed by negotiation or condemnation under authority of Section 32 and 62.22 of the Wisconsin Statutes to acquire the real estate interests shown on said Relocation Order, and further authorized to obtain title reports, appraisals, survey information, environmental site assessment reports, and any other essential material or reports as may be necessary to perform due diligence in accomplishing the acquisition.

BE IT STILL FURTHER RESOLVED that Foth Infrastructure & Environment, LLC, who has subcontracted with G.J. Miesbauer & Associates, Inc., is hereby authorized to execute the jurisdictional offer, lis pendens, and award of the compensation if condemnation proceedings under Section 32 of the Wisconsin Statutes are necessary.

BE IT FINALLY RESOLVED that the Mayor and City Clerk are hereby authorized to sign any necessary documents to accomplish the acquisitions within the City of Madison jurisdiction.